IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO. 38 of 2007.
IN
APPEAL FROM ORDER NO. 835 OF 2006.

Babulnath Jadunath Pandye. ... Applicant.
Versus.
M/s.Amar Pratik Builders (India) Pvt.Ltd. ... Respondent.

Shri N.V.Walawalkar, Senior Counsel i/by Shri Sudhir Prabhu for the Applicant.

Shri G.C.Singh for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 20th March, 2007.

P.C.:

1. Rule. The Advocate for the Respondent waives service.

2. The Advocate for the Respondent states that as of today, the construction of the building has not been started. As the Appeal is admitted, a limited protection will have to be granted to the Appellant. The Respondent shall keep unalienated a flat admeasuring 250 sq.ft. of carpet area with all amenities in the building proposed to be constructed till the final disposal of the Appeal. The Civil Application is accordingly disposed of.

Judge.